

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2144 – HB 2200

March 21, 2014

SUMMARY OF ORIGINAL BILL: Prohibits an employer from using voice stress analysis machines on an employee's response to a specific set of questions, or introducing or considering such analysis in any hearing or other employment procedure. Prohibits the use of voice stress analysis and testimony regarding voice stress analysis as evidence in any criminal proceeding.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014909): Deletes all language after the enacting clause. Defines the term “voice stress analysis” to mean the use of a device that has the ability to electronically analyze the responses of an individual to a specific set of questions and to record the analysis, both digitally and on a graph. Prohibits an employer from introducing the results of a voice stress analysis performed on an employee, when the employee is entitled to due process, at any hearing or other employment procedure, for the purpose of proving misconduct by the employee. Prohibits voice stress analysis and testimony regarding voice stress analysis from being admissible as evidence in any criminal proceeding. Effective date of July 1, 2014.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- According to the Department of Labor and Workforce Development (DLWD), these prohibitions will have to be incorporated into the department’s training program for employers.

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- Based on the information provided by DLWD, any increase in state expenditures to incorporate the prohibitions into training is considered not significant and can be accommodated within existing resources without an increased appropriation or a reduced reversion.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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